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COMMITTEE ON THE RIGHTS OF THE CHILD

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 44 OF THE CONVENTION

Initial reports of States parties due in 1993

Addendum

LAO PEOPLE'S DEMOCRATIC REPUBLIC

[18 January 1996]

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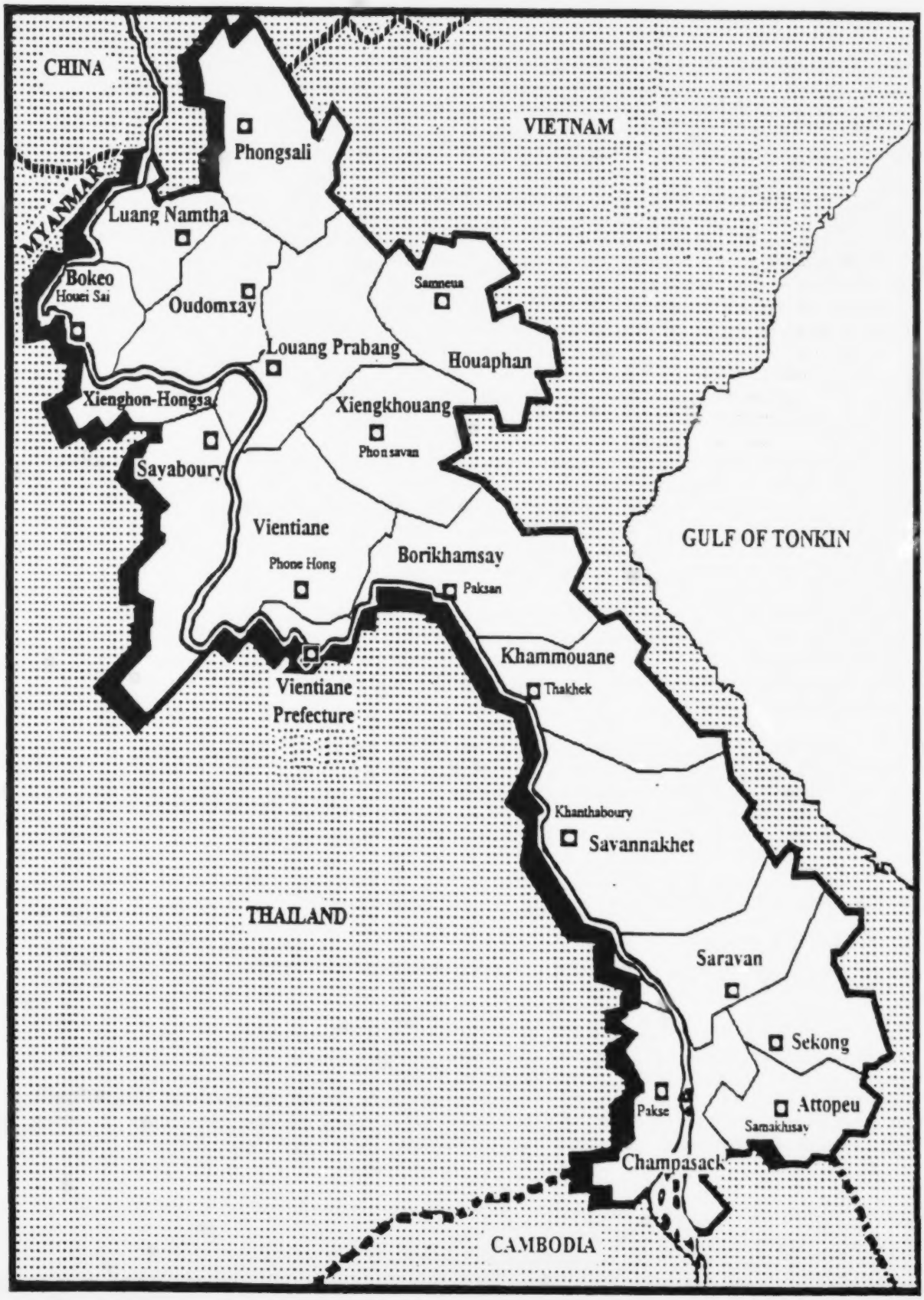
* Available for consultation in the files of the secretariat.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Introduction

1. Modern Lao history began 600 years ago when Chao Fa Ngum founded the unified country of Lane Xang in 1353 and built it into a prosperous land. Laos enjoyed relative peace and prosperity for almost 500 years until the mid-eighteenth century when it was repeatedly threatened and invaded by outside powers. The Lao People enhanced the heroic traditions of their ancestors during this time by fighting to gain independence and freedom.

2. Over the past 60 years, under the leadership of the former Indo-Chinese Communist Party and the present Lao People's Revolutionary Party, the multi-ethnic Lao people carried out a difficult and arduous struggle for independence full of great sacrifices. The struggle culminated in Laos throwing off the yokes of colonial domination and feudalism. The Lao People's Democratic Republic was established on 2 December 1975, thus opening a new era - an era of genuine independence and freedom for the people.

3. During the past years, the multi-ethnic Lao people implemented two strategic tasks of defending and building the country. Satisfactory results were achieved in the initial stages.

4. Situated in the centre of the South-East Asian peninsula, the Lao PDR is a small, land-locked country covering an area of 236,800 square kilometres. It is a long narrow country, extending about 1,700 km from north to south, bordered in the east by Viet Nam and the Annamite Mountain chain, and to the west and south by the Mekong River. The Lao PDR shares common borders with Viet Nam, Thailand, Cambodia, China and Myanmar.

5. There are two seasons in the Lao PDR: the rainy season from May to September and the dry season from October to April. Annual rainfall varies from 1,300 mm to 3,000 mm. Climatic conditions have proved to be unstable over the years and from time to time droughts and floods compromise food production.

6. The population of the Lao PDR is estimated to be 4.1 million and classified into three main groups: Lao Loum (55 per cent), Lao Theung (27 per cent), and Lao Soung (18 per cent). The population growth rate is 2.6 per cent per annum, up from a zero growth rate a few years ago due to the implementation of effective disease eradication strategies.

7. Lao people practice many religions, but the majority practise Buddhism with remnant Brahistic beliefs and indigenous animism.

8. The Lao People's Democratic Republic is a people democratic State. All powers are by the people and for the people with the workers, farmers and intellectuals as key components.

9. The multi-ethnic Lao people are masters of their country through the functioning of the political system, which has the Lao People's Revolutionary Party as its leading agent. The National Assembly is the main legislative organization. It has the right to make decisions on the fundamental issues of the country. It is the organization which supervises and oversees the activities of the administration and judiciary. The Government is also the

administrative organization managing the implementation of duties of the State in all fields: political, economic, cultural, social, national defence, security, and foreign affairs.

10. Presidential Decree No. 31 dated 26 February 1993, laid down the organizational structure of the Government as well as the appointment of new cabinet members. The Government consists of 16 ministries and some ministry-equivalent committees. These include the Prime Minister's Office, Ministry of Defence, Ministry of Interior, Ministry of Foreign Affairs, Ministry of Justice, Ministry of Finance, Ministry of Agriculture and Forestry, Ministry of Communication, Transport, Telecommunication and Construction, Ministry of Industry and Handicrafts, Ministry of Commerce, Ministry of Information and Culture, Ministry of Labour and Social Welfare, Ministry of Education, Ministry of Public Health, National Committee for Planning and Cooperation, and the Bank of the Lao PDR.

11. Local administration consists of 16 provinces and 1 municipality, 130 districts and 11,374 villages.

12. The Lao PDR has a multiple-sector economy with agriculture as the main component. The national economic objectives are to expand production, widen the circulation of goods, and transform the natural economy into a goods-based economy in order to develop a strong national economy.

13. The State protects and expands all forms of State, collective and individual ownership as well as private ownership, both domestic and foreign. The State protects the right of organizations and individuals to ownership and the rights to inherit property. Economic management is carried out in line with the market system with adjustments by the State.

14. A new economic policy, introduced in 1986 and in line with the programme of economic reforms approved by the Government, contributed to the improvement of the economic situation. In 1993, GNP was increased by 7 per cent compared to 1992; the rate of inflation was stabilized at about 7 per cent and foreign investments have increased notably. At present there are 350 investment projects in Laos worth US$ 500 million.

15. The Lao PDR is one of the least developed countries, with an average per capita income of $215 per annum. Agriculture still plays an important part in the economy. About 85 per cent of the population are farmers who raise animals and work in the forest. The population is scattered and most have settled in the countryside and on the mountain slopes. Thus communication and transportation are difficult due to a lack of infrastructure.

16. The family is the most important component in Lao society. On average there are six to seven members in a family. Each member cares for each other in order to make the family a strong unit of society.

17. The family decides who inherits land, properties and wealth from ancestors. According to Lao custom, youth must respect their elders. The head of the family is responsible for overseeing all matters including living

conditions, maintaining unity and harmony, and improving the situation of the family as well as contributing to society. Women's duties include bringing up children, as well as other household duties.

18. A village consists of several families. The village heads are responsible for implementing State law, making decisions, issuing instructions, maintaining peace and security and developing the villages to become stable and prosperous.

19. In Lao society, children are considered to be important inheritors of the family legacy and the future of the country. Therefore it is the duty of the family and society to take care of them and educate and train them to take their place as productive members of society, to be patriotic and cherish progress, and to set a good example for them to follow.

20. In 1991, the number of children in Laos under five years of age was 733,622, and this figure will increase to about 923,363 by the year 2000.

21. Thanks to the new open-door economic policies, the living conditions of the people and hence the children have gradually improved. However, poverty still exists throughout the country, notably in the rural and mountainous areas. Many children still face difficulties and hardships. They are threatened by diseases and malnutrition, and suffer a high mortality.

22. The Lao Government is very concerned about the difficulties which are confronting women and children. It has acted to eliminate the backwardness of the country, and has set up an economic and social development plan to the year 2000 with several goals in mind:

(a) To keep the rate of economic development at 8 per cent per annum;

(b) To maintain the stability of the economy and its finances, and keep the rate of inflation below 10 per cent per annum;

(c) To promote investment in various fields;

(d) To increase the GNP and reduce foreign debt.

23. To achieve these goals, the Government has set out the following tasks:

(a) To develop agriculture and forestry by linking them to industry and services;

(b) To exploit the country's natural potential in electricity, mines and other natural resources;

(c) To improve the mechanism of the market economy;

(d) To expand communication networks and other infrastructure;

(e) To develop human resources;

(f) To extend relations and cooperation with other countries.

24. The socio-economic development plan is aimed at improving living conditions and building a strong and prosperous nation. Development of human resources is considered to be the most important task. Above all, the priorities are to provide good education and health-care facilities to all children.

I. GENERAL MEASURES FOR IMPLEMENTATION OF THE CONVENTION

25. At the World Summit for Children on 30 September 1990, the Lao Government, together with the international community, emphasized its commitment to the survival, protection and development of children in the 1990s. On 4 September 1991 a delegation of the Lao PDR officially signed the declaration and plan of action of the Summit.

26. The Convention on the Rights of the Child was ratified by the National Assembly, and the Lao PDR became a party to it on 7 June 1991. This is an important step as it shows that the Lao Government has made efforts to devote itself to protecting and educating children. The Government will focus its attention on creating favourable conditions and providing facilities to children so as to enable them to develop to their fullest physical and mental potential. To enable children to exercise their rights, it is necessary for policy and national laws to be in line with the provisions of the Convention. Important provisions of Lao law have some connections with this Convention.

27. The Constitution of the Lao PDR came into effect by Presidential Decree No. 55/PO dated 15 August 1991. Article 20 of the Constitution stipulates the policy implementation on mother and child issues. It stresses the responsibilities of the concerned ministries and organizations involved in implementing specific rights, and giving protection and care to children.

28. The Family Law came into effect by Presidential Decree No. 97/PO dated 25 December 1990. Part III of the law stipulates the responsibilities and commitments of parents towards their children.

29. The Penal Law came into effect by Presidential Decree No. 04/PO dated 9 January 1990. Several provisions of the law have fixed measures dealing particularly with persons under the age of 18. Other elements include provisions to exclude pregnant women from criminal punishments. The provisions of the law stipulate that anyone who violates children will be harshly dealt with.

30. The Labour Law came into effect by Presidential Decree No. 101/PO dated 24 December 1990. Provisions of article 29-33 of chapter VI stipulate certain measures for the protection of women and child workers.

31. A National Commission for Mothers and Children was set up under the chairmanship of the Deputy Prime Minister, His Excellency Phoune Sipaseuth. Its Vice-Chairmen were the Minister of Education and the Minister of Public Health.

32. A number of ministers from various ministries and organizations are members: the Ministry of Information and Culture, the Ministry of Justice, the Ministry of Interior, the National Committee for Planning and Cooperation,

the Ministry of Finance, the Ministry of Labour and Social Welfare, the Lao Women's Union, the Front for National Construction and the Lao People's Revolutionary Youth Union.

33. As the main mechanism of the Government responsible for the protection, care and education of children, the National Commission for Mothers and Children carries out the following tasks:

(a) Assisting the Government in setting the policy that will promote protection and give care to mother and child;

(b) Extending assistance to various ministries and mass organizations as well as helping other provinces coordinate their activities in child issues;

(c) Seeing that the Government's policy on the development of mother and child is fully implemented;

(d) Guaranteeing the implementation of the Convention on the Rights of the Child;

(e) Establishing a National Programme of Action (NPA) for children;

(f) Gathering all necessary resources needed to carry out the National Programme of Action;

(g) Following up, evaluating and reporting on progress of work in pursuance of the National Programme of Action.

34. In order to enable the National Commission to successfully carry out its tasks, a secretariat was set up to assist in mapping out the NPA and supervising its overall work.

35. Due to a structural reform within the Government itself and within State organizations in February 1993, members of the National Commission for Mothers and Children were replaced by newly appointed ministers. It was seen as important that the work carried out by its members be more effective and its goals more successfully achieved.

36. Since it was established, the National Commission for Mothers and Children has achieved the following tasks: (a) set up a National Programme of Action for children; (b) promoted health-care facilities such as the immunization programme for the prevention of diseases; (c) help set up provincial and district level Commissions for Mothers and Children.

II. DISSEMINATION OF THE PROVISIONS OF THE CONVENTION

37. Four steps taken to ratify the Convention:

(a) The text of the Convention was sent to the legal division of the Ministry of Foreign Affairs for further study;

(b) The document was translated into Lao, submitted to the Minister and sent to the Prime Minister's office for approval;

(c) Once the document was approved by the Prime Minister's office, a government representative signed it and sent it to the National Assembly for ratification;

(d) Upon ratification, the Convention came into effect in the Lao PDR, and the procedures were set for its implementation.

38. The International Convention on the Rights of the Child was signed enabling the Lao PDR to become a party to the Convention on 7 June 1991.

39. Thanks to assistance from UNICEF, the text of the Convention on the Rights of the Child was translated into Lao, and printed and distributed to various ministries and mass organizations. The Ministry of Information and Culture published a booklet for children entitled: "What rights does a child have?". The books were sent to schools throughout the country.

40. At various seminars and training sessions organized by the Ministry of Education, the Ministry of Public Health, the Ministry of Information and Culture and the Lao Women's Union, the Convention and Declaration of the World Summit for Children were tabled for discussion, followed by wide publicity by the mass media.

41. In line with the government initiative, mass organizations, namely the Lao Women's Union and the Lao People's Revolutionary Youth Union, mobilized people of all strata to be involved in the implementation of the Convention. The Lao Women's Union has branches from the central to the grass-roots level. The Women's Union has led various movements including campaigns to advise the families on the best ways to live, promote the programme of immunization for prevention of diseases, and educate women to be aware of the importance of birth spacing.

42. However, it is noted that the dissemination of the Convention's contents and the mobilization for mass participation in its implementation is not widespread. The Government sector has paid much attention to this matter, but only modest achievements have been recorded. The work of mobilizing the masses will have to continue on a long-term basis. Relevant sectors of the Government must have all available resources, notably personnel, transport facilities and an adequate budget. Other institutions such as mass organizations, social organizations, religious organizations and other non-governmental organizations are requested to help.

III. DEFINITION OF A CHILD

43. The Penal Code defines children as all those under 18 years of age, and further subdivides this group into two: those aged 1-15 and 16-18. In the case of the former group, the child is absolved of penal responsibility, which is assumed by the family concerned and in the latter case, special provisions are delineated. Articles 17 and 36 of the Penal Code exempt children (under 18) and pregnant women from standard penal punishments, and article 48 lists the special measures to be applied by the court towards children between

the ages of 15 and 18 (the offender must request pardon from the damaged party, the offence may be publicized, the child may be sent to his/her family, guardian, administrative authorities or social organizations for re-education). Article 37, which lists causes for increased penal responsibility, includes infractions against children, and article 120 provides specific punishment for acts of sexual abuse of children. Several articles also exempt children under 18 and pregnant women from certain punishments, i.e. articles 29 (life imprisonment), 34 (house arrest) and 30 (death penalty).

44. Articles 29-33 of the Labour Code provide protection for women and child workers. They include a list of dangerous activities in which women and children should not be engaged (work at heights of five metres or more above the ground, work where high speed machinery is involved, hard work which may have health hazards).

45. Article 9 states the minimum age for marriage (18 years under normal conditions, between 15 and 18 years in special cases, and in no case less than 15 years); special conditions for the recruitment of workers under 18 years of age (maximum of six hours/day or 36 hours/week - work prohibited includes mining, jobs which involve exposure to dangerous chemicals, hard labour, urban cleaning, processing of remains for cremation, and other difficult work as cited in art. 21); minimum working age (15 years).

IV. THE STATUS OF CHILDREN

46. The child mortality rate in the Lao PDR is the highest in Asia. The under-five-year-old mortality rate covers more than half of the total child mortality in the country. The infant mortality rate is 125 per 1,000 live births and the under-five mortality rate is 182 per 1,000 live births. The main causes of death among Lao children are malnutrition, acute respiratory infections, diarrhoea, malaria and other infectious diseases. Children who recover from illness are greatly affected in their normal development. Their parents, who live on subsistence farming, are faced with financial difficulties and cannot meet the needs of their children, nor can they protect the rights of their children including the right to survival, development, and protection as well as the child's right to participation.

47. By providing basic health care, children will have a better chance of survival. Giving constant care to children will enable them to grow up normally and develop physically and mentally.

48. The Government of the Lao PDR considers mother and child care as important tasks in the public health sector. Mother and child care projects started in 1986 are now being carried out in every province. The projects aim to reduce the death rate of mothers and children, which still remains high. Health care facilities provided by public health service are not sufficient. They can meet only 25 per cent of overall demand.

49. The Lao PDR Government's aim is to provide good education and training. It should also be a commitment of parents as stipulated in article 32 of the Family Law. The Government has laid out a policy concerning education. Since 1975, the Lao PDR has set a goal for universal primary education for children

from 6 to 10 years old. The Government undertook the reform of the education system in 1986, setting up a National Plan of Action in 1990 for the long-term goal of education for all up to the year 2000. This involves an upgrading in the quality of basic education and the introduction of compulsory education for children up to the age of 16.

50. At present, there is a great shortage of primary schools and the quality of education is at a low level. About 35 per cent of children from the age of 6 to 10 have not attended school. Forty-five per cent of primary school teachers are unqualified.

51. Provisions in Lao law stipulate the protection of the rights and interests of the child, fixing special measures concerning child delinquency and severe punishment for anyone who violates children.

52. The slogan in Laos is "Children of today are the adults of the future". Adults are responsible for educating and training children to be good members of society. Families and government agencies have created favourable conditions for children to express their opinions, exchange ideas with their friends in school and at their youth organizations, e.g. the 2nd December Pioneer Organization and the Lao People's Revolutionary Youth Organization.

53. In line with the Government's efforts, UNICEF and other international organizations have given active assistance and cooperation to help the Lao Government achieve its goals. Once born, children must have an opportunity to grow strong, both physically and mentally. The implementation of new policy reforms in child health has been fundamentally successful. Many kinds of dangerous diseases have been eliminated in several regions. But there is still a long way to go to provide adequate general health care.

VI. FUTURE TRENDS AFFECTING CHILDREN

54. The National Programme of Action for Children is aimed at solving problems facing women and children in the Lao PDR today and, moreover, to guide the achievements of the Government to the year 2000. The National Programme and the plan for cooperation between the Government of UNICEF set for 1992-1996 were approved in September 1993. This will contribute to the achievement of five steps in 1996:

(a) Reduce child mortality rate by 20 per cent. Throughout the implementation of the National Programme of Action, a survey will be conducted through a programme of immunization for mothers in 1995. The target is to reduce the child mortality rate to 50 per 1,000 live births;

(b) Reduce maternal mortality rate by 10 per cent. The target for the year 2000 is a reduction to half of the figures registered in 1990;

(c) Reduce the rate of malnutrition among children under five years old by 40 per cent. The target for the year 2000 is to reduce the rate by 25 per cent;

(d) To provide 1 million rural people with an adequate water supply. By 2000, the target is clean water and sanitation for every Lao person;

(e) To increase the rate of primary school attendance for children from 6 to 10 years old by 75 per cent. The current rate of school attendance is 65 per cent. The rate of illiteracy among adults is to be reduced by half.

55. Due to a shortage of funds and limited resources, these goals cannot be achieved without international assistance.

VI. RIGHTS AND FREEDOMS

56. The basic rights and obligations of the Lao people are contained in the Constitution of the Lao PDR as promulgated on 15 August 1991, in chapter III, articles 21 to 37. These articles also relate to the rights and freedoms of Lao children. These basic rights, freedoms and obligations are expanded in the Lao Nationality Law, Family Law and Family Registration Law and are protected by enforceable measures as provided in the Penal Code.

Name and nationality

57. In practice, children born in the Lao PDR must be given a first and family name, as the Family Registration Law provides that all births must be declared to the village chief within 30 days. When the village chief is informed of a new birth, a certificate will be issued within 30 days of the birth certificate's date as evidence of birth registration.

58. Children born to Lao parents will be considered Lao citizens whether the child is born within or outside the Lao PDR's territory (art. 9, Lao Nationality Law).

59. If the newborn child has one parent of Lao nationality, the child will be considered a Lao citizen if:

(a) The child is born within the boundaries of the Lao PDR;

(b) The child is born outside the boundaries of the Lao PDR with both or one parent having permanent residence in the Lao PDR.

60. In the case where one of the child's parents is a Lao citizen and the other is stateless, the child will be regarded as a Lao citizen regardless of the place of birth (art. 10, Lao Nationality Law).

61. Children found within the boundaries of the Lao PDR but whose parents identity is unknown will be considered as Lao citizens (art. 12, Lao Nationality Law).

Preservation of identity

62. The identity of Lao children, such as first name, family name, skin colour, sex, is protected by the law. Nobody can illegally oblige any child to take any first name, family name and nationality.

63. Article 31 of the Family Law provides details on names and nationality. Parents are entitled to select a child's name at will and on mutual agreement. Children are entitled to change their names in accordance with the laws,

provided they have reached the age of 18 years. The child's family name shall be the same as its parents' family name if both parents have the same name. In case the parents have different family names, the children may take the father's or mother's family name as approved by the parents, but if no agreement can be reached, the children will take the family name as decided by the court. In the case of divorce or recognition of marriage dissolution, the child's family name will not change. If parents with children in their custody wish to change their family names after divorce or recognition of marriage dissolution they have the right to change the child's family name accordingly, but only if the child is under 18 years old.

64. A child's nationality shall be the same as its parents' in the case where both parents hold the same nationality. If the parents hold different nationalities, children may take one of their parent's nationality in accordance with the Lao Nationality Law.

65. It has been noted that to date, there have been no cases of children without names or nationality in the Lao PDR, nor cases of forcing children to bear names and nationality inconsistently with the Lao laws.

Freedom of speech and the press

66. The Constitution of the Lao PDR clearly provides in its article 31 that Lao citizens enjoy the freedom of speech, press, meetings, associations and demonstrations in forms consistent with the laws. Based on these provisions, it may be seen that in the Lao PDR, children have the right to express themselves in several forms, namely in speech, the press, the arts, and in meetings, articles, poems, songs, drawings, newspaper articles, radio and television programmes and others. However, such freedom shall be expressed within the scope delineated by the legal provisions, that is, that such freedom shall not impact on other people's legitimate and legal rights and interests, or on the national interest and security.

67. The Penal Code of the Lao PDR provides a punishment by imprisonment from three months to one year or re-education without incarceration for individuals violating another person's freedom of speech, press, and association (art. 93)

Appropriate information

68. In general, Lao children receive local and outside information and data through various mass media, including newspapers, magazines, radio, television and the arts which aim to develop health, intellect and morality. In the Lao PDR, radio and television have organized regular daily youth programmes with the aim of educating children in equity, technology and sciences and general and social knowledge. In addition, children's newspapers, magazines and comic books are being printed and sold in libraries. In addition, Lao children are also given the opportunity to receive international information through radio broadcasts, cassettes, videos and television programmes and foreign comic books, mainly from neighbouring countries. Lao children have access to domestic and foreign information and data sources.

Freedom of thought, conscience and religion

69. Article 30 of the Constitution of the Lao PDR states that Lao citizens enjoy individual freedom to believe in religion. No individual has the right to force others to believe or abandon a religion. As such, parents are not entitled to force their children to comply with religious beliefs. Religious activities must be consistent with the Lao laws and not present any hazard to health or honesty, impact on the rights and freedom of other persons, or on the national security.

70. Article 9 of the Constitution of the Lao PDR provides that the State respects and protects the lawful activities undertaken by Buddhists and other religious followers, and mobilizes and promotes Buddhist monks and clergy of other religions to participate in activities useful to the nation and the people. All discrimination on religious grounds is forbidden.

Freedom of association and meeting

71. As mentioned above, the Lao people enjoy the freedom of peaceful association and meetings as provided by article 31 of the Constitution. The Penal Code of the Lao PDR also provides for the punishment of individuals violating such rights (art. 93, Penal Code).

72. In the main urban areas, such as Vientiane municipality, Lao youth have organized a number of associations, including sport associations, youth clubs and youth musical bands. These associations operate within the Lao laws.

73. The freedom of meeting is also provided in the Constitution of the Lao PDR. In practice, the Lao PDR knows no class competition problems, therefore meetings, namely of the youth, are for the celebration and support of progressive acts and movements.

Protection of individual rights

74. Individual rights in the Lao PDR, including those of children, may not be violated. The Constitution of the Lao PDR provides in its article 29 that the Lao people have inviolable rights. The Lao people will not be incarcerated without good reason or authorization from the authoritative body, except in cases provided by law.

75. The Penal Code allows for the punishment of violations of personal secrets. The disclosure of personal secrets during the performance of professional duties, and the opening of letters, telexes or documents and listening to telephone conversations causing damage is not allowed. The Penal Code allows for punishment by imprisonment from three to six months or fines from 5,000 to 10,000 kips for such acts (art. 15).

Freedom from torture

76. The Penal Code prohibits human physical punishment in general, including the physical discipline of children, and physical administration of torture to penal offenders. Article 25 of the Penal Code provides that physical torture as punishment has no purpose.

77. Individuals willingly causing physical injuries to others will be punished by imprisonment from three months to one year (art. 83/1, Penal Code). Any individual causing physical harm, torturing, or using unlawful methods or acts against an accused or incarcerated individual during court procedures or during sentencing will be imprisoned from three months to three years or re-educated without imprisonment (art. 160, Penal Code). Capital punishment is also forbidden for people who are under 18 years old at the time of the offence, or to pregnant women (art. 30).

VII. CHILD CARE BY FAMILIES AND OTHER PARTIES

Parents' responsibilities

78. The rights of Lao children and their interests are protected by the Constitution and law. The Family Law and the Penal Code clearly delineate parents' responsibilities toward their children. Spouses have the obligation to love, respect and assist each other, and together care for and educate their children (art. 13, Family Law). Articles 32, 33 and 35 of the Family Law state parental responsibilities in educating their children, protecting their rights and interests, and the obligation and care for their children as follows:

(a) Parents must inculcate patriotism in their children, teach them the value of progress and an honest livelihood, and to lead activities useful for society. If parents fail to perform their obligations to their children's education - or they abuse their parental authority, or make use of violence and unethical methods against their children - they will forsake their parental rights but will still be required to perform their obligations in terms of financial support (art. 32). Parents have equal rights and obligations in the protection of their children's rights and interests, and are the lawful representatives of children under age. They have the obligation to protect the rights and interests of their children at court, place of work, schools and elsewhere. Parents are entitled to appeal for the cancellation of any contract entered into by a minor without parental approval;

(b) Parents also represent their children in instances where their children are the accused parties in a dispute and will assume all civil responsibilities on behalf of their children (art. 33);

(c) Parents have the obligation to support their children who are under age and those who may be above age but unable to work. Such obligation for financial support shall continue whether the parents are married or divorced. Financial support may be claimed at all times without any case period for complaint (art. 35).

79. In addition, the Penal Code also provides punishment by public criticism in cases of failure to ensure financial support to children (art. 118, Penal Code).

Separation from parents

80. In accordance with Lao traditions and customs, children are entitled to stay with their parents. Under the law, no one can separate children from their parents, except in special cases in order to protect their rights and interests as mentioned above. However, if parents fail to perform their obligations, abuse their parental authority, physically abuse their children, or fail to care for their children, the court may decide to forsake their parental rights. However, obligations for child support will still be effective.

81. The Standing Committee of the National Assembly will authorize Lao children over 14 years of age but under 18 years to abandon Lao nationality at the request of their foreign adoptive parents, provided the children give prior written approval (art. 23, Lao Nationality Law).

Family reunion

82. In the Lao PDR, parents and children have the right to be reunited after separation. The Lao Government implements a policy allowing Lao children and individuals who have left the country to return to their homeland, while allowing parents or children to visit their parents or children living abroad. In addition, the children may be born to legally married parents or to unmarried parents but whose father volunteers to recognize his parenthood or whose parenthood is recognized by the court decision.

83. Affiliation may take place in the case a child is born to unmarried parents. Voluntary affiliation requires the child's parents to submit a common request whereby the child's father acknowledges his parenthood and the mother agrees to such request. The father's marriage to another woman does not represent an obstacle to affiliation. In the event that a man denies his parenthood, the mother, guardian or tutor of the child will be entitled to apply to the court for the consideration and decision on affiliation (art. 30, Family Law).

Compensation for child support

84. Article 34 of the Family Law provides for parental support to children in cases where parents are married or divorced. In both cases, financial support may be claimed at all times without any limit period of the complaint.

Children suffering from parental neglect

85. According to the Family Law of the Lao PDR:

(a) The tutors of children (or legally incapacitated persons) shall have the duty of care and education of children if the natural parents fail to provide adequate care through ill-health, death or other circumstances. These tutors shall have the obligation to protect the rights and interests of children (or legally incapacitated persons);

(b) After receiving notice of an uncared-for individual, the village administrative authorities will appoint a tutor for the child (or legally

incapacitated person) within one month, at the latest, by a process of selection from close relatives of the child. If the chosen relative or individual refuses the guardianship, other individuals may be chosen as tutor. It is forbidden to appoint minor persons without legal capacity, or individuals having forsaken their parental rights, or individuals with an inappropriate attitude, as tutors;

(c) The tutors of children (or legally disabled persons) shall represent these individuals in contracts and other activities. The tutors of children (or legally disabled persons) have the obligation to care for, educate and pay attention to their health, education and protection.

Child adoption

86. An adopted child shall be considered by the adoptive parents and their relatives as their natural child, siblings and grandchild (art. 37, Family Law).

87. An adopted child can be considered as a child who is under age and for whom parental rights have been forsaken. The adoption of a child requires the spouses' and the child's natural parents' prior written consent, except if the child's father or mother has forsaken his/her parental rights or is recognized as legally incapacitated or a disappeared person. If the child has reached the age of 10, the child's opinion shall be taken into consideration (art. 38, Family Law).

88. Potential adoptive parents shall forward applications to the village administrative authorities for consideration within one month. If seen as appropriate, a note of approval for child adoption will be issued to the adoptive parents (art. 39, Family Law).

89. Individuals disclosing adoption secrets without approval from the adoptive parents, or the family registration officer in cases where the adoptive parents have passed away, will assume the penal responsibilities (art. 40, Family Law).

Illegal emigration of children

90. Illegal emigration of children occurred before and in the early days of the Lao People's Democratic Republic. No such problems are noticed at the present time. The only legal migration is with full authorization. Nevertheless, the Lao Penal Code provides punishment by imprisonment from six months to three years for individuals misleading officials in migrating, sending people abroad or illegal immigration (art. 69, Penal Code).

Inappropriate attitude towards children

91. The Family Law provides in article 32/2 that the court shall revoke parental rights if parents abuse their parental authority, or employ unethical methods toward their children. In addition, the Penal Code provides for punishment by public criticism for individuals failing to support their children (art. 118). The Code provides for punishment by imprisonment from 5 to 10 years for individuals raping young girls between 16 and 18 years

of age who are under their dependence or medical treatment; punishment by imprisonment from 7 to 15 years for individuals guilty of sexual abuse of children under 15 years of age, causing physical injury to girls during their rape and disabling them permanently (art. 119). The Penal Code also provides for punishment by imprisonment from 1 to 5 years for individuals having sexual relationships with young girls or boys under 15 years of age (art. 120).

Monitoring and management of children

92. Pursuant to the Penal Code of the Lao PDR, children under 15 years of age committing a penal offence shall not bear penal responsibilities (art. 17). However, the court shall make use of measures: (a) for the offender to request the damaged party's pardon; (b) to publicize the offence; (c) to send the offender back to his/her guardians for re-education; or (d) send the offender back to the administrative authorities and social organizations for monitoring and education (art. 48). The court shall make use of such measures against children over 15 years of age but under 18 years committing misdemeanours and correctional offences.

VIII. EDUCATION, RECREATION AND CULTURAL EVENTS

93. According to tradition, before Laos became a colony of the French in 1893, the education of Lao children and youth was carried out in the pagoda by Buddhist monks, who were not only regarded as religious teachers but also as responsible for the general education of the public. Most villages had a pagoda which served religious as well as educational and cultural purposes. Not only did Lao children and youth receive religious education in the pagoda, but also general education in reading, writing, arithmetic, sculpture, handicrafts and traditional medicine. The pagoda continues to be a traditional education centre; however, its importance has been gradually reduced by the public school system, and the need to serve as a cultural centre for the local population.

94. Since the national liberation and the establishment of the new regime in 1975, the Government of the Lao PDR has placed emphasis on education, on the development of education with the aim of paving a substantial foundation for the implementation of human resources development, and by emphasizing increased work productivity, decreasing and eliminating general poverty, and the preservation and the development of tradition and a common national culture.

95. The Lao Government has always regarded education as the fundamental and legitimate right of the general population. It adopted the World Declaration on Basic Education for All which was accepted by the international community at the world conference held at Chomthien, Thailand, in March 1990.

96. The political willingness of the Government to improve the education of children is translated into policies, legislation and regulations as follows:

(a) Article 19, chapter II of the Constitution states that: "the State promotes the fine traditional culture of the nation in coordination with the integration of progressive world culture. It discourages all negative ideological and cultural occurrences, promotes cultural, artistic and press

activities in the mountainous areas as well as the lowlands, and aims to preserve the archaeological and religious sites of the nation";

(b) Article 19, Part III of the Constitution states that "... primary education should be compulsory. The State authorizes the establishment of private schools operating in accordance with the State curriculum. The State and the private schools are permitted to cooperate to establish schools, thus improving education as an integrated system, focusing on education's development in ethical areas ... .";

(c) The education strategy from now to the year 2000, as published in 1987, states that "preschool education must be developed, while reorganizing lower, upper, vocational and graduate education in accordance with the absorptive capacity and the requirements of the national socio-economic development, educating and forming technical cadres, technicians and reducing illiteracy in the country ... The Ministry of Education must improve the quality of education by implementing the new curricula of general education, teacher training and in-service training of teachers in order to upgrade education to international standards, and more university students must be sent abroad."

97. As the Constitution of the country was promulgated only in 1991, the development and the management of the education system has been largely based on ministerial and governmental decrees, such as the decrees concerning the administrative structure of the education sector, the school administration, and the role of the local population to support and contribute to the expansion and development of the educational and cultural activities in their localities.

98. The education system in the Lao PDR consists of general education provided in five years of primary school, and three years each of lower and upper secondary education. The system of pre-service teacher training is highly diversified, consisting of schools and colleges which offer pedagogical and disciplinary training following either primary or secondary schooling, and a university-level Institute of Pedagogy (IUP) which trains upper secondary teachers. The vocational-technical system includes secondary vocational schools for semi-skilled and skilled workers, technical colleges for middle-level technicians, higher technical colleges for higher-level technicians, and a university-level National Polytechnic Institute (NPI) which grants engineering degrees. Other higher education institutions granting first-level degrees include a medical university and a school for administration and management. Preschooling is available for children up to five years of age, and non-formal education programmes consist mainly of literacy training and basic education equivalency courses.

99. The structure of educational administration includes the Ministry of Education (MOE) at the central level, and local education services at the provincial and district levels. The local services are now hierarchically linked to the MOE, and are under provincial and district administrative committees, whose chiefs are appointed by, and report to, the Council of Ministers. Authority over schools and school personnel differs according to the type and level of education. In general, district administrative committees, in cooperation with the villages, are responsible for primary,

preschool and non-formal education; provincial education services for lower secondary education and upper secondary education. Primary and lower secondary teacher training, and vocational and technical education are now under the responsibilities of the departments concerned at the Ministry of Education. The MOE still has authority over the Institute of Pedagogy (IUP) and the National Polytechnic Institutes (NPI), vocational schools and technical colleges. A number of post-secondary educational institutions are under the authority of other Ministries such as Communication, Transport, Post and Construction, and Health.

Education, including vocational training and guidance

100. After the establishment of the new regime, education had a rapid expansion at different levels throughout the country. This rapid expansion of general education after 1975/76 gave rise to a big demand for teachers, and as a result there was a sudden and uneven expansion in teacher education. The direct consequences were that while education expanded rapidly, education quality was not ensured as indicated by the high drop-out and repetition rates.

101. According to the policies, as mentioned above, the Lao Government has made a tremendous effort to expand primary education particularly to rural and remote areas; to make secondary education more accessible; and to provide a variety of vocational education for the choice of pupils who have graduated from different levels of general education and according to economic development needs. At the same time attention has been paid to the improvement of teaching-learning processes. Recently the Government decided to increase the proportion of public expenditures in the education sector from 8 per cent to 11 per cent. By these efforts the reality of education at all levels is as described in the following paragraphs.

102. Preschool education. Preschool education, non-existent before 1975, was introduced by setting up crèche and kindergarten schools close to places of employment such as institutions, cooperatives, schools, hospitals, factories and workshops, large construction projects, and agricultural and forestry farms. At the end of the first plan (1981-1985) access to preschool education was only 5 per cent of the target. About 3 per cent of children aged three months to five years attended crèches and kindergartens. In 1988 things had improved somewhat with 2 per cent of the age group attending crèches, and 8 per cent kindergarten. It is noted that some provinces have guided different enrolment rates at each level. Since 1987 the enrolment has declined owing to the dissolution of cooperatives, agricultural and forestry collectives, farms and factories. In 1992 enrolment for crèches was less than 1,000 pupils and less than 20,982 pupils for the kindergartens.

103. A new curriculum, developed by the former Department of Preschool Education in collaboration with UNICEF and Save the Children Fund (United Kingdom), is now being implemented. However, the new approach will require changes in the role of the teachers and it may take time before it becomes accepted and generalized to the preschool system.

104. In the future, the objective is not only to meet the child-care needs of working mothers but at the same time to stimulate the intellectual activity of

younger children and create in them an understanding of their environment, and the desirable attitudes and manners in order to prepare them for a further level of education. Although the development of preschool education has not been considered as a priority compared to primary education, it should be emphasized and based on needs and with a contribution from the local population.

105. General education. The policies of general education are to focus on expanding and improving access in order to generalize primary education by the end of this century and to increase its quality, efficiency and relevance to productive activities and opportunities offered by the community. Currently, there are about 7,140 primary schools in the country. The gross enrolment ratio in 1992 was 101.84 per cent, a reasonable high national ratio, compared to the net enrolment ratio 61.64 per cent. There is also a large variation in the gross enrolment ratio from province to province (43.99 per cent in Sekong province to 148.85 per cent in Vientiane province). The disparity in the enrolment is also noticed among the different ethnic groups. The rate of female enrolment throughout the country is almost equal to that of male pupils. However, it generally lags behind in the higher levels of education as shown in the table below:

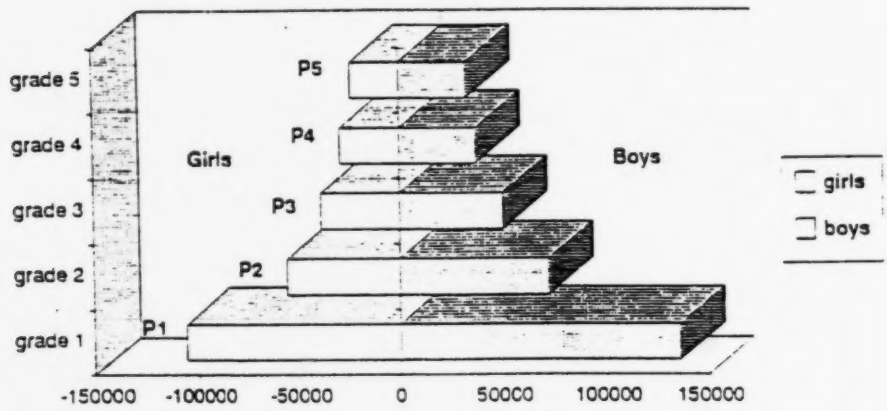


Table 1. Distribution of crèches and kindergartens by province, 1987-1988

	Crèches					Kindergartens				
	School	Teachers	Enrolment	Age group 0-2	Per cent enrolled	School	Teachers	Enrolment	Age group 3-5	Per cent enrolled
Vientiane prefecture	17	43	511	41 697	13	48	174	3 318	3 649	25
Others 1/	79	357	4 828	-	-	78	226	5 736	-	-
Phongsaly	3	3	18	14 166	1	41	79	1 451	12 400	12
Luang Namtha	2	6	101	9 808	3	3	10	355	8 585	4
Oudomxay	2	10	185	21 240	1	14	26	450	18 592	2
Bokeo	3	17	52	6 236	3	12	27	566	5 459	10
Luang Prabang	10	22	108	36 099	2	40	64	1 961	31 599	6
Houaphan	34	133	492	24 428	2	44	51	1 207	21 383	6
Sayaburi I	3	6	48	25 612	*	26	36	846	22 419	4
Sayaburi II	3	8	45	-	-	20	30	644	-	-
Xieng Khouang	19	96	473	21 096	3	21	40	870	18 466	5
Vientiane	16	35	211	31 948	1	62	181	1 903	27 965	7
Borikhamxay	2	7	93	14 660	1	7	17	455	12 833	4
Khammouane	2	11	27	24 026	2	21	54	828	21 031	4
Savannakhet	14	44	408	62 261	1	74	145	3 094	54 500	6
Saravane	2	8	56	21 948	*	5	25	356	19 212	2
Sekong	-	-	-	5 948	9	1	2	39	5 207	1
Champassak	24	73	526	45 904	1	84	167	3 137	40 181	8
Attopeu	1	2	41	7 903	1	3	12	82	6 941	1
Total	236	881	8 223	414 980	2	604	1 366	27 298	330 442	8

Note: * means less than 0.5

1/ Other ministries, companies, factories in Vientiane municipality.

Table 2. The repetition rates in primary school, in 1991/92 (national figure)

1st year		2nd year		3rd year		4th year		5th year		Average	
Total	Female	Total	Female	Total	Female	Total	Female	Total	Female	Total	Female
42.74%	42.36%	28.49%	26.95%	20.65%	18.81%	15.71%	14.19%	19.04%	16.48%	25.33%	23.76%

Table 3. The drop-out rates in primary school, in 1991/92 (national figure)

1st year		2nd year		3rd year		4th year		5th year		Average	
Total	Female	Total	Female	Total	Female	Total	Female	Total	Female	Total	Female
19.38%	16.48%	15.09%	15.41%	15.04%	15.67%	16.04%	18.73%	16.42%	18.06%	16.39%	17.27%

106. During the last few years, the Ministry of Education, in coordination with the Ministry of Health and with assistance from the Save the Children Fund and UNESCO-Bangkok, has carried out a pilot exercise on organizing a special class for blind children and an integrated course in some primary schools in Vientiane municipality. The purpose is to put children with disabilities into the formal education system with other children. The positive aspects of this experience should be extended to other schools. According to school administration regulations, teachers are not authorized to administer corporal punishment to pupils. Since 1975/76, any cases of such punishment have been raised and reported to the Ministry of Education.

107. The number of lower and upper secondary schools in 1992 was 710 and 118, respectively, with a total enrolment in lower secondary school of about 87,392 (34,816 females) and 30,172 (10,936 females) in upper secondary school. The gross enrolment ratio in lower secondary education was 28.79 per cent and for upper secondary 10.98 per cent during the academic year 1992/93. As in the case of primary education, the gross enrolment ratio varied across the provinces. In lower education, it varied from a high of 76.61 per cent in Vientiane municipality to a low of 3.83 per cent in the underdeveloped province of Sekong. In the case of upper secondary education, the variation was from 1.72 per cent in the provinces of Sekong and Oudomsay to 42.60 per cent in Vientiane municipality. This variation was found also to be considerable among the different ethnic groups. The percentage of pupils enrolled by ethnic groups compared to the total enrolment was 92.22 per cent and 95.90 per cent for Lao Loum, 2.75 per cent and 1.68 per cent for Lao Soung and 4.11 per cent and 1.70 per cent for Lao Theung. The percentage of ethnic pupils compared to the population was 3.08 per cent and 1.11 per cent for Lao Loum, 0.55 per cent and 0.12 per cent for Lao Soung and 0.27 per cent and 0.04 per cent for Lao Theung respectively in lower and upper secondary education.

108. The rapid expansion of general education has, as a consequence, required more teachers, and more physical facilities at short notice. Each province has to overcome these shortages by their own means despite insufficient funds. The main problems are as follows:

(a) The disparities between urban and remote areas, and between the different ethnic groups in terms of enrolment and quality of education provided;

(b) The drop-out and repetition rates are still high. On average, the drop-out rate at the primary school level is 16.39 per cent (17.27 per cent for females). The repetition rate is 25.33 per cent (23.76 per cent for females). In lower secondary education, the drop-out rate is 23.94 per cent (28.12 per cent for females) and the repetition rate is 8.48 per cent (6.51 per cent for females). In upper secondary education the drop-out rate is 23.79 per cent (19.83 per cent for females) and the repetition rate is 5.90 per cent (4.23 per cent for females);

(c) Due to the insufficient number of schools and teachers, parents are also not sending their children to schools as their labour is often needed at home, particularly in agricultural activities;

(d) The qualifications of teachers are lower than required: 60 per cent of teachers are unqualified including a large proportion who are untrained (40 per cent of teachers are recruited locally among young pupils who graduate - or not - from primary schools);

(e) There is a shortage of physical facilities and school materials, including textbooks: even the most basic instructional materials and equipment are not available in all rural schools. The problem is partly one of financing and the lack of transport facilities for distributing materials from Vientiane to provincial and local levels.

109. By the year 2000, the Ministry of Education aims to increase the national net primary education enrolment rate (6 to 10-year-olds) from 61.64 per cent to 80 per cent, to increase the national retention rates from 30 per cent to 80 per cent and to improve the quality of education provided in urban and remote rural regions by undertaking and implementing some of the projects in cooperation with international agencies and NGOs.

110. The main objectives of the project to be carried out in collaboration with UNICEF and some NGOs are to deal with improving overall efficiency and effectiveness of the formal primary system of education in disadvantaged areas by:

(a) Rehabilitating school buildings and providing the necessary learning and teaching materials to primary schools to create a favourable learning environment;

(b) Training the untrained teachers during vacations and providing a pedagogical methodology to support them in their school activities;

(c) Promoting the practice of multi-grade teaching in small villages where the number of school-age children is insufficient.

111. The World Bank is funding a major programme of curriculum reform, including textbook production, and its implementation at all levels of formal education, school construction, school mapping and educational planning. The

Asian Development Bank is also funding a project to reorganize teacher training colleges and curriculum reform for pre-service and in-service training of teachers including textbook and other instructional material production. NGOs such as the Save the Children Fund, the Mennonites and World Vision have given their assistance to the construction of some school buildings, the distribution of textbooks, reading books, school supplies, and in-service training of teachers in areas where they have operated.

112. Non-formal education. Within the scope of the Convention on the Rights of the Child, non-formal education aims to eradicate illiteracy among children and young people aged from 15 to 40 years who do not have access to schools or have abandoned primary school. The plan is to allow them to reintegrate into the formal education system and receive vocational skills training which will be useful in their everyday life within the community. The number of people who relapse into illiteracy is also a problem, with progress in literacy rates constantly being eroded. The literacy rate now stands at 60 per cent of the target.

113. Those who have the possibility to complete and graduate from primary education totalled 36,940 persons in 1985.

114. Vocational skills training, and family and community development projects have been launched in some disadvantaged areas. An example is the project for ethnic women in Luang Namtha aiming to train young women to produce traditional textiles and to make clothes in order to establish income generating programmes. This project was quite successful and could be extended to other provinces in the future.

115. Problems and constraints encountered are the following:

(a) Reliable statistics and data on non-formal education are not available due to the difficulty of communication in rural and remote areas;

(b) The lack of qualified personnel and teachers for vocational skills training courses;

(c) The curricula for the literacy course and for specific vocational skills training are not relevant to the needs of the target groups.

116. By the year 2000 the Ministry of Education will provide opportunities for 80 per cent of people aged 15 to 40 years of all ethnic groups who are illiterate or have relapsed into illiteracy to become literate; to allow up to 50 per cent of the newly literate to continue to complement their education after acquiring basic knowledge and vocational skills that will enable them to contribute to the development of the quality of life in their communities; and to improve the performance and quality of education of the students.

117. Taking into account these guidelines some concrete action has been carried out and is ongoing including:

(a) The development and the implementation of curricula, textbooks, instructional materials, reading books both for the literate and illiterate, and professional skills training;

(b) Quality of life improvement projects are under way in Savannakhet province aimed at promoting improved sanitation and agricultural activities among the local population;

(c) Creation of educational centres for community development in ethnic and mountainous areas aiming to provide useful information to the local population.

118. Vocational and technical education. In order to meet the urgent demand of technicians and qualified workers for the economic development sector, the Ministry of Education, in collaboration with concerned technical ministries such as the Ministry of Agriculture and Forestry and the Ministry of Health, must expand vocational and technical schools and emphasize the provision of more and varied sections. At present, vocational and technical education is not yet developed as needed. In 1992, there were 886 students at the vocational training level, 1,754 students at the middle technician level, and 682 students at the higher technical level.

119. The number of student graduates from the vocational and technical education system are approximately:

Low level:	309 students
Middle level:	507 students
High level:	70 students

120. Problems encountered are the lack of funds and necessary equipment for practical work, the lack of a curriculum developed and available in all vocational sections and the lack of sufficient numbers of qualified personnel.

121. Solutions proposed are the following:

(a) In cooperation with the concerned ministries, the Ministry of Education has undertaken a study aiming to identify the needs of skilled workers and technicians at all levels of different sectors of economy;

(b) Developing and improving the curriculum, textbooks and other instructional materials;

(c) Upgrading of teachers as well as administrative personnel of the vocational schools.

122. Private education. A government decree issued in 1990 permits the establishment of private schools to help meet the expected expansion in enrolment and to increase efficiency and improve quality education through competition between private and public institutions. The private sector responded to the Government's invitation to set up schools and at present there are several private schools offering education from nursery to short-term vocational training courses as shown in the statistics (covering four of the largest provinces).

Ref. No.	Schools	Number of schools	Number of teachers	Number of students
1	Crèche	4	13	108
2	Kindergarten	35	132	3 124
	Primary	29	269	8 816
3	Lower secondary	6	31	501
	Upper secondary	-	-	-
4	Technical vocational education			
5	(a) Short-term training	10	83	2 695
	(b) Vocational	-	-	-
6	(c) Technical	-	-	-
	(d) Higher technical	-	-	-
	Total	84	528	15 244

123. The Asian Development Bank funded the first step in the development of education in this sector - a small-scale advisory technical assistance project to evaluate the private education system, with the aim to:

(a) Assess private sector activities in education and training with particular emphasis on post-secondary education;

(b) Identify strengths and weaknesses of the private sector in education and training to improve the quality, relevance and efficiency; and

(c) Help develop a framework of legal and technical governance for the management of private education.

As a result of this technical assistance, a document concerning the legal and technical governance of the management of private education has been submitted for approval to the Government in order to encourage the private sector to be involved in education and training.

Aims of education

124. In addition to compulsory primary education, the 1991 Constitution further provides that "All of the educational, cultural and scientific activities aim at upgrading the acquisition of knowledge, patriotism, attachment to the people's democratic regime, solidarity, unity between ethnic minorities, and mastership of the country".

125. "The Objectives of General Education", published in 1991 by the Ministry of Education focused on, "educating the new generations in scientific approaches, patriotism, solidarity with other ethnicities within the nation and solidarity with other friendly countries in the world, recognition of the

citizen's right and obligations, preservation and development of the fine national traditions, differentiation of friends from foes, organization awareness and discipline, self-reliance, coordination between the individual and common interest, grasping general and technical knowledge, receiving recommendations and preparing vocations, awareness and capacity in labour, participation in national defence and development ...".

126. With respect to the aims and objectives mentioned above, the output in terms of the development of children has not been as good as expected due to the limited technical and physical facilities, the shortage of qualified teachers and the irrelevance of the curriculum.

127. Despite the lack of a formal emphasis in moral education in schools, Lao families, together with the customs and traditional Buddhism, have significantly influenced and supplemented children's education, namely in tolerance, perseverance, and in national values such as respect for the elderly. As such, the educational quality development projects have to consider and include all aspects of the development and education of children in the curricula and other school activities and in the in-service training of teachers.

Leisure, recreational and cultural activities

128. Culture is an important need in the life of the people. Along with preserving and developing the tradition of a common national culture, the Government has determined a general guideline for cultural development as follows:

(a) To promote and support minorities to retain their varied traditional arts and cultures so that these become the common culture of the national community;

(b) To develop and promote a national, popular and progressive culture;

(c) To continue organizing, assisting and promoting mass movements in art and culture;

(d) To prevent all phenomena of harmful, decadent culture;

(e) To increase technical and material infrastructure for the cultural sector.

129. In the light of these guidelines, many efforts have been made to provide appropriate and equal opportunities for cultural, artistic and recreational activities for children. There is a national library, and there are libraries belonging to the Ministries of Education, Science and Technology, and Agriculture and Forestry, the Committee for Social Sciences, Dongdok University, the December 2 Polytechnic University, libraries of lower and upper secondary schools and 1,000 mobile library boxes at certain primary schools.

130. The museum network has been set up and is developing. It includes the Revolutionary Museum, the Ho Phra Keo Museum and other main pagodas, and certain religious sites such as the That Luang and Wat Phou Champassak.

131. Cultural programmes such as folk songs, rock dances, and music are often organized and broadcast daily by national radio and television in the different ethnic languages.

132. Recreation activities, such as camps, games, folk songs and dances by the youth organizations while exchanging visits and participating in international meetings in this field, are organized.

133. Problems and constraints are lack of funds and qualified personnel for the preservation and promotion of national cultures, ethnic plurality and the many different cultures and spoken languages and a lack of awareness among the people in preserving their cultural heritage.

134. In the future, the Lao Government will require further international assistance for the promotion of national culture, the implementation of restoration programmes at religious sites and pagodas and the development of public cultural centres where other cultural activities will take place. It will promote awareness among the people in preserving and developing their own and national culture and in preventing and eliminating decadent culture. It will create more recreational centres in different localities all over the country to make culture more accessible and enjoyable.

IX. BASIC HEALTH AND WELFARE

Policy and strategies on the health sector

135. Lao PDR is abiding with WHO strategies on "Health for all by the year 2000". This includes providing health care at the family and village levels, and in the district hospitals. Emphasis will be on prevention of many diseases but also on curing, rehabilitation and combining modern and traditional health-care methods. The three priority areas are:

(a) Reduce malaria, acute respiratory infection and intestinal illnesses;

(b) Prevent AIDS and accidents;

(c) Improve water supply and sanitation.

136. The Government's main objectives are:

(a) Reduce mortality and morbidity from vaccine-preventable and other communicable diseases;

(b) Develop an efficient and accessible network of curative care facilities;

(c) Enhance the resource base for public health actions.

The Government is also considering charging user fees, increasing private sector participation, and developing health insurance and social security mechanisms. The Government has also recently adopted the National Programme of Action for Children in the Lao PDR. The programme is a set of goals from the World Summit for Children to which the Lao PDR is a signatory.

137. The above policy objectives are to be achieved through the following actions:

(a) Deliver preventive services at district and community levels;

(b) Improve the quality of care for treating the most common diseases such as malaria, diarrhoeal diseases and respiratory infections;

(c) Ensure an adequate supply of essential low-cost quality drugs;

(d) Provide adequate training of medical and pharmaceutical personnel;

(e) Conduct epidemiological research on priority diseases;

(f) Closely link modern and traditional medicine;

(g) Increase private sector participation in all health areas, create an accompanying appropriate legal and regulatory environment, and improve sector cost recovery and commercialization;

(h) Promote health through community participation and self-help while simultaneously expending international cooperation, using foreign assistance efficiently.

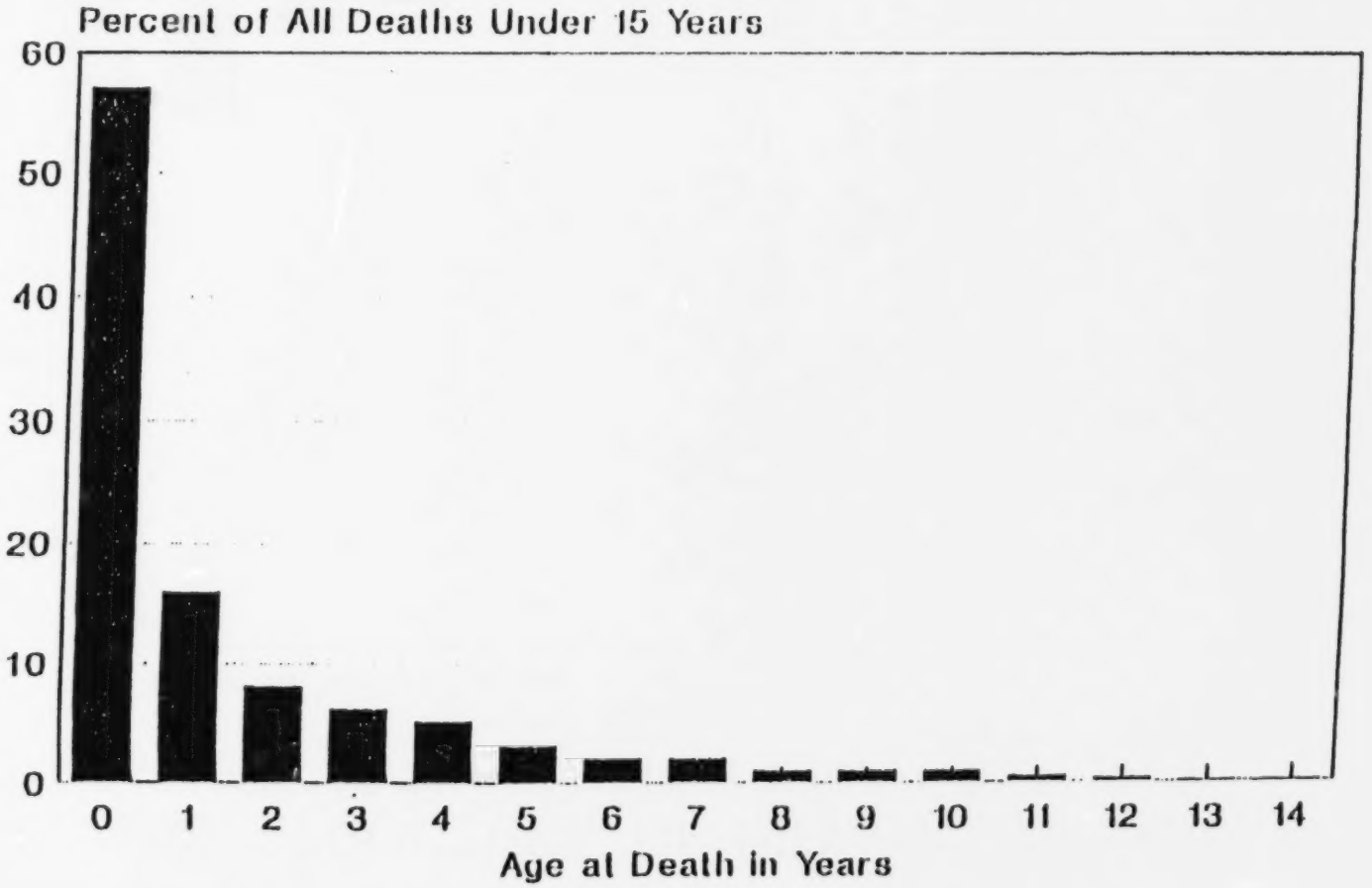
The health and nutritional status of the child

138. Infant mortality, under-five child mortality and maternal mortality. The Lao Social Indicator Survey, undertaken in 1993, reported the Infant Mortality Rate (IMR) to be 125 per 1,000 live births, which is higher than the previous figures published by United Nations agencies and the World Bank. The IMR varies a lot according to residence, economic status, maternal attendance at school and habitat. Infant mortality is actually higher than expected if we examine the detailed age structure of infant mortality. A huge proportion of infant deaths occur during the first month of life (and most probably occur during the first weeks, and even first days of the first week) (graphs 1 and 2). The under-five mortality rate (U5MR) was found to be 182 per 1,000 live births. This means that out of 100 children born alive, 82 will survive to the age of five years. A comparison of mortality rates and life expectancy amongst selected Asian countries show that the Lao PDR has one of the highest IMR and U5MR (table 4). Most deaths of children are due to communicable diseases. The main causes of child deaths are malaria, acute respiratory infections (ARI), diarrhoea, epidemics such as dengue fever, measles and meningitis (the primary causes of mortality recorded at Mahosot Hospital in 1989) and Japanese Encephalitis B.

139. Morbidity and nutritional status. The three main causes of morbidity in children under five are common communicable diseases such as acute respiratory infections, diarrhoeal diseases and malaria. The Government has set up specific programmes to deal with these diseases.

Graph 1 AGE STRUCTURE OF CHILD MORTALITY

AGE AT DEATH UNDER 15 YEARS, 1983-1993

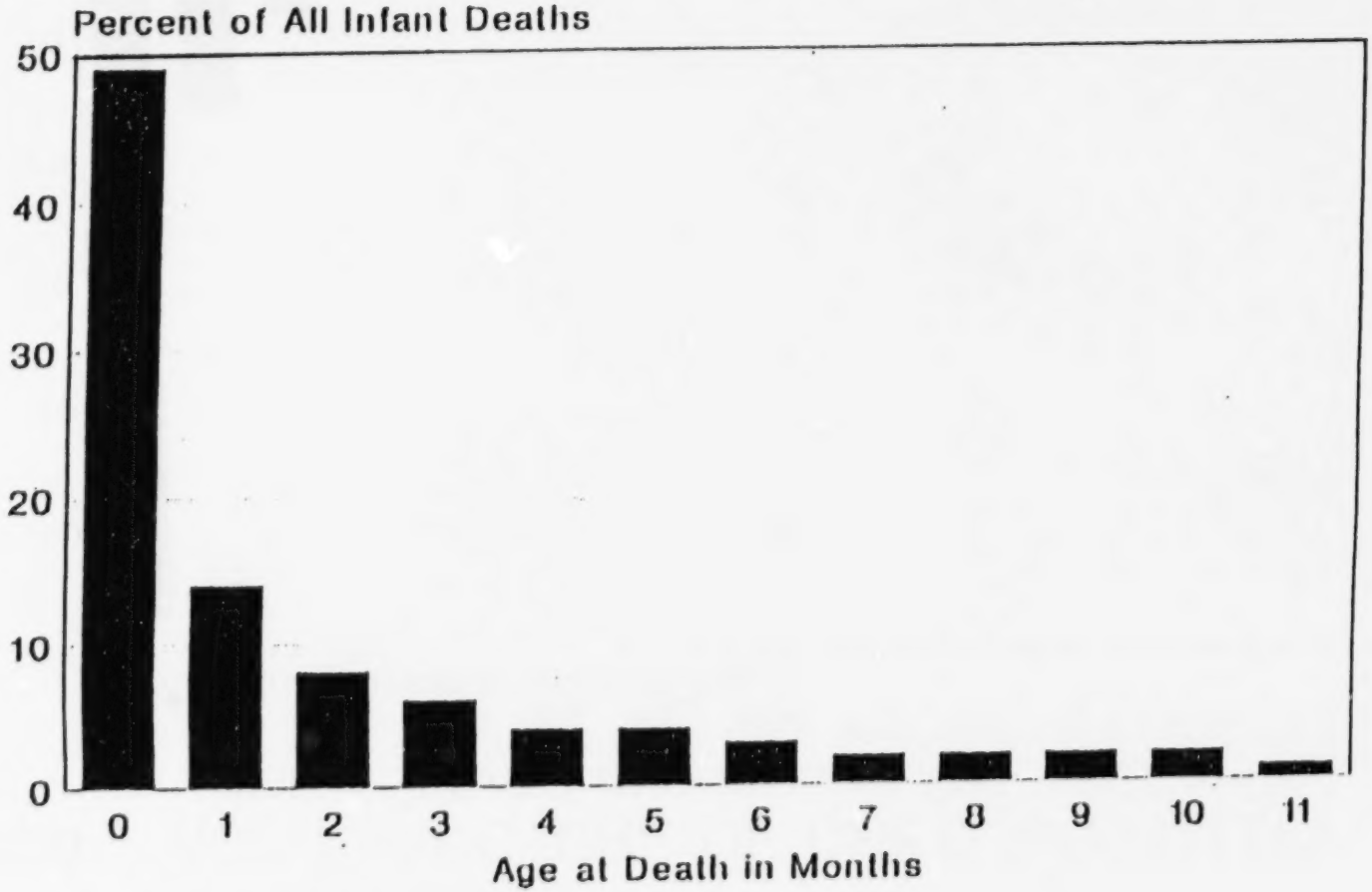


Lao Social Indicator Survey 1993, N=1869

Graph 2

AGE STRUCTURE OF INFANT MORTALITY

AGE AT DEATH UNDER 1 YEAR, 1975-1993



Lao Social Indicator Survey 1993, N=1673

140. Acute respiratory infections are by far the leading cause of morbidity in the child population. Activities have focused on training health staff in clinical case management and availability of first line drugs. Some vaccinations (BCG, pertussis, measles) performed under the Expanded Programme on Immunization (EPI) aim at improving the situation.

Table 4. Mortality and life expectancy, selected Asian countries, 1988

	IMR	U5MR	Life expectancy rate	GNP per capita (US$) (1987)
Lao PDR	125*	182*	49	200
Cambodia	127	199	49	n.a.
Viet Nam	63	88	62	n.a.
Bhutan	127	197	48	150
Nepal	127	197	51	160
Bangladesh	118	188	51	160
Myanmar	69	95	60	200
Thailand	38	49	65	850

* Lao Social Indicator Survey, 1993.

141. Government surveys on diarrhoeal diseases conducted in 1982 and 1985 with the assistance of WHO showed a mortality rate varying from 0.5/1,000 in Vientiane municipality, to 6.6/1,000 in rural areas of Champassack. It was found that childhood diarrhoea constituted 40 to 50 per cent of the total diarrhoea incidence in those two areas. An estimate of 3.4 diarrhoea episodes per child per year was made on the basis of results obtained from these two surveys. Fresh outbreaks of diarrhoeal diseases coincide with the coming of the rains. Food and water contaminated by human faeces is the main cause of diarrhoeal diseases. However, in the case of acute diarrhoea, it is often impossible to make an exact diagnosis. The only information available is that Shigellosis bacteria seems to account for more than half of the cases of patients presenting dysentery-like diarrhoea. The newly established Mother and Child Health Institute (MCHI) has been requested to execute the control of diarrhoeal diseases (CDD) activities at provincial and district levels.

142. Natural conditions in the Lao PDR favour the year-round transmission of malaria in most parts of the country. Epidemiological surveys were carried out in Champassak province in 1978/79 on 20,829 subjects of all ages. Children and pregnant women appeared to be most at risk. All types of malarial infections can lead to abortion or have sever ill-effects on mothers and babies. Micro-circulatory arrest in the placenta may cause death, small-for-date and premature babies. The government programme against malaria is the responsibility of the Institute of Malaria and Parasitic Diseases. The strategy against malaria has four components:

(a) Early diagnosis and treatment including the distribution of anti-malarial drugs to all suspected and microscopically confirmed cases of

malaria, especially in pregnant women and young children. The use of traditional medicine should also be encouraged. For instance, diarrhoea febrifuga has shown to have an anti-plasmodial effect;

(b) Chemoprophylaxis, administration of prophylactic doses of anti-malarial drugs to high risk groups (pregnant women, children under 15, women who are breast-feeding) during the high transmission period, or in case of epidemic;

(c) Elimination of mosquito breeding sites by drainage, larvicide applications to breeding sites and selective insecticide house-spraying in areas where the plasmodic index is over 15 per cent, and in strategic zones;

(d) Promotion of individual protection. Covering exposed skin, the use of insect repellents (smoke or liquid) and the installation of mosquito nets over the bed are simple ways offering a high degree of protection against mosquito bites. Passive protection and preventive measures, carried out collectively and fostered through health education using various existing communication networks and supported by appropriate case-management with material drugs, remains the best strategy in confining malaria.

143. Immunization services began in the Lao PDR in 1992. With the support of UNICEF, WHO and NGOs the programme progressively expanded into all 17 provinces, the special regions and 125 districts. Despite the continued expansion of the immunization programme, the overall coverage has risen very slowly and remains low. It is estimated that only 25 per cent of infants born in 1993 were protected with three doses of DTP, 26 per cent with three doses of OPV, 42 per cent receiving BCG and 46 per cent measles vaccines. Only 24 per cent of pregnant women received two doses of tetanus toxoid. The main factors in the low coverage are: (a) lack of access of the population to the health services and EPI; (b) low usage rate of fixed centres; (c) inadequate management; (d) lack of resources - both manpower and funds - etc.

144. The four strategies used to reach the population are:

(a) District strategies: the district is considered the functional unit for EPI activities. In each district the capability should exist to plan and manage an immunization programme through health facilities, outreach and mobile services;

(b) Fixed centres: provincial and district hospitals and dispensaries, which provide immunization services, are considered as fixed centres;

(c) Outreach and mobile activities: Zone 1 covers villages to which a vaccinator from a hygiene station or fixed centre can travel, conduct a vaccination session and return to the base in one day on foot. Zone 2 is the area that they can service using transport. Zone 3 covers villages which vaccinators cannot reach, conduct a vaccination session and return in one day. Community support and participation can greatly reduce the workload of the vaccinator and ensure high acceptance by the community. The key to ensuring support is the village headman and members of the Lao Women's Union;

(d) National Immunization Days (NID): NID are considered an essential component of Lao EPI to achieve polio eradication by 1995.

Integration of Vitamin A and Lugo's solution could be considered in accelerating strategies in the future.

145. Delays in disbursement of operational support funds for outreach activities in 1993 are reflected in the slow progress of EPI coverage. Only the last quarter of the year's EPI activities actually benefited from this support. Five provinces' DPT1 coverage increased to over 50 per cent. Recent data received from Luang Prabang district show that DPT3 coverage rose from 25 per cent in April to over 80 per cent in October 1993. The provincial government contributed 37 per cent of funding in operational support from its own budget.

146. Immunization days were implemented in 24 districts of the country in January 1991, in 48 districts in November-December 1992 and in 105 districts in January-February 1994. There was substantial community involvement in the immunization days, especially with the participation of Lao Women's Union. In spite of the prime goal for NIDs - polio eradication - measles and DPT were also provided. Around 1,000 villages were visited twice during NIDs last year. This will be reflected in increased coverage of OPV, DPT and measles.

147. Following the February 1993 visit of the UNICEF executive director, the Prime Minister issued in April a decree defining roles and responsibilities of the Government and mass organizations in strengthening EPI implementation throughout the country and achieving 80 per cent of immunization coverage by 1996. In June 1993 the Prime Minister called in all governors for two days of discussions on immunization. The momentum created improved the health of Lao children and at the same time revitalized the health-delivery system in the country.

148. Mother and child health/birth spacing programme. The Institute of Mother and Child Health (IMCH) was opened in November 1989; its main roles are to strengthen, promote and extend all mother and child health activities throughout the country. To date the IMCH has improved and extended its services in 17 provinces, including the special region and 68 districts. Despite the development of activities the coverage rate of utilization of service is still low. The improvement of MCH activities depends on the training of staff, the procurement of the kit of essential drugs for the provincial and district hospitals, improving services, and increasing awareness among the population and health staff.

149. At present the Government recognizes the importance and the benefits of promoting to all Lao families the spacing of birth at an interval of at least two years. This will help mothers to have more time for their children and to ensure social development. On 17 November 1993, the Government officially accepted a birth spacing programme supported by the United Nations Population Fund to be implemented in some areas in the country. On 20-21 April, the Ministry of Health organized the first Congress on Mother and Child Health and Birth Spacing in Vientiana. Assisting the Congress were a range of government officials, governors, chiefs of provincial health departments, the representative of the Lao Women's Union Organization and the chiefs of provincial IMCH from 17 provinces. The Congress recognized the negative implications of unregulated fertility as evidenced by the unacceptable levels

of maternal and infant mortality rates. The Congress discussed the draft of MCH/BS policy to be revised and submitted to the Government as a part of national policy.

150. Nutritional status. According to the government survey of the nutritional status of children, focusing on the measure of protein-energy malnutrition among children under five years, the prevalence of stunting (children of short stature, below -2 Z-scores Height for Age) is 48 per cent, which is classified by WHO as a "very high" prevalence, greater than the average for developing countries in the world and in South-East Asia. The prevalence of wasting (children too thin, below -2 Z-scores Weight for Height) is 10 per cent, also "very high", and slightly greater than the average of South-East Asian children. The prevalence of underweight children (below -2 Z-score Weight for Age) is 44 per cent, again "very high" and significantly greater than the average for developing countries. The prevalence of severe malnutrition, defined by Gomez as a weight for age below 60 per cent of the median in the reference population, is 2.6 per cent, to be compared with 2.4 per cent in the national survey in 1987. When using -3 Z-scores as a cut-off point, severe stunting was found in 23 per cent of the sample, severe wasting in 1.2 per cent and severe underweight in 14 per cent.

151. At least 95 per cent of mothers breast-feed their newborn babies for at least six months after delivery. But a majority of mothers still withdraw colostrum and introduce glutinous rice too early (which may be responsible for bladder stones), while a growing number switch to powdered milk at an early stage under the pressure of workload or the influence of so-called modernization. In 1993 Mahosot Hospital became the first hospital in Laos to be designated as a Baby Friendly Hospital under the Baby Friendly Hospital Initiative (BFHI).

152. The constraints on implementation of BFHI are:

(a) There is no national BF/BFHI focal point;

(b) There is no National Plan of Action on BF/BFHI;

(c) There is duplication of activities by various BF partners due to lack of coordination and clear guidelines;

(d) Around 20 per cent of the population have access to health facilities; 90 to 95 per cent of women deliver outside health facilities;

(e) A lack of legislation on a National Code of Marketing for Breast Milk Substitutes.

153. Major BF/BFHI activities for the 1994 Programme of Action are:

(a) To assign a National BF/BFHI focal point which will provide leadership/coordination;

(b) To organize, under the guidance of the National BF/BFHI Focal Point, a working technical group meeting for 2 to 3 days to review existing BF practices, bring the country in line with BF/BFHI mid-decade goals and facilitate the development of a National Plan of Action on BF/BFHI for 1994/95;

(c) To prepare legislation on a National Code of Marketing for Breast Milk Substitutes.

154. According to the experts, the Lao PDR is one of the most severely iodine deficiency disorder (IDD) affected countries in the world. It was known for many years that an IDD problem existed in the Lao PDR and was thought to affect about 30 per cent of the highland population and about 10 per cent of the population living in the plains. However, a UNICEF technical mission in August-November 1993 tested the urine of 2,454 children from 32 randomly selected schools. The results show that 95 per cent of the Lao population suffers from various degrees of iodine deficiency. About 65 per cent of surveyed children are severely affected.

155. In the last quarter of 1993 the Ministry of Public Health prepared the National Plan of Action with a long-term approach to eliminate IDD in Laos. The objectives of the Plan of Action to eliminate IDD in the Lao PDR are:

(a) To virtually eliminate IDD by the year 2000 through the reduction of goitre prevalence below 5 per cent and to increase median urinary iodine excretion to >10µg iodine/dl urine;

(b) To achieve universal iodization of salt by 1995;

(c) To achieve in 1994:

(i) Legislation on the universal iodization of salt (June 1994);

(ii) Provision of salt iodization plants in all six salt factories in the country;

(iii) Clarification of the policy on iodized oil/lugol's solution supplementation;

(iv) Development of Standing Orders for IDD monitoring procedures;

(v) Coordination between ministries and other partners/NGOs involved in IDD activities.

Water and environmental sanitation

156. Rural water supply and sanitation. In rural areas, approximately 10 to 15 per cent of the population have year-round access to clean drinking water, defined as availability of clean water within a 500-metre radius or 30 minutes' walk. No official figure for average daily per capita consumption exists. The connection between polluted water and disease is not always understood and water-borne and water-washed diseases are common. Women and girls spend inordinate amounts of time fetching water, particularly during the dry season. This type of heavy labour not only prevents women from embarking on more productive activities, but also drains their energy and strains their health.

157. Under 2 per cent of all rural households have latrines. The low population density of most rural areas has permitted the population to continue using surrounding forested areas for this purpose.

158. In response to the International Drinking Water Supply and Sanitation Decade, an Inter-ministerial Committee for Water Resources and Sanitation was formed in 1981. It subsequently established the Institute for Clean Water (ICW) within the Ministry of Health. The ICW developed a long-term plan for clean drinking water and sanitation in rural areas. These plans are reflected in the NPA.

159. Urban water supply and sanitation. Urban dwellers constitute 15 per cent (600,000) of the total Lao population. Of these, approximately 48 per cent are serviced by urban water supply systems. Such systems exist in five provincial cities: there are currently no multi-user solid-waste disposal systems (sewers) in the country. The vast majority of urban dwellers use septic tanks and the biggest problem associated with their use is lack of proper maintenance.

X. SPECIAL PROTECTION MEASURES

Children in situations of emergency - refugee children

160. Issues of refugee children in the Lao PDR have not been recorded in statistics by age group or number. During the war, displacement of Lao children from one locality to another or from one province to another within the country caused few social problems, as according to Lao custom, these children usually stayed with their relatives. The exact number of Lao children who took refuge abroad and subsequently returned is unknown. Nevertheless, the Lao Government, in coordination with UNHCR, has implemented a humanitarian policy outlined in 1977 accepting all Lao refugees, including children, volunteering to return to their country. Repatriated refugees were given assistance in money or in kind, as appropriate.

Juvenile offenders

161. Penal prosecution. In general, the objective of penal prosecution is to educate the offenders to abide strictly by the laws and prevent further offences, (art. 25, Penal Code). Children under 15 years of age at the time an offence is committed will not assume any penal responsibilities (art. 17, Penal Code). But if a penal offence is committed by such children, special measures will be applied, such as returning them to their guardians, the administrative authorities or social organizations for their re-education. The court may make use of these measures against children over 15 years and under 18 years of age who have committed minor offences (art. 48, Penal Code). Juvenile penal offences committed by children having reached 18 years of age incur reduced penal responsibilities (art. 37, Penal Code). Conditional prior liberation may be granted to progressive prisoners reforming themselves and serving as examples in labour and who have served half of their sentences in the case of young offenders under the age of 18 years (art. 47 Penal Code).

162. Juvenile incarceration, including all forms of incarceration, imprisonment and supervision. No individual may be arrested or imprisoned without an order from the prosecutor or the court, except if such arrest is made when the offence is committed or in urgent cases. In case of arrest

where unlawful incarceration in excess of the period provided by law or by court order occurs, the prosecutor shall immediately issue an order for liberation (art. 11, Law of Penal Procedures). In penal court procedures against juvenile offenders under age, disabled individuals, individuals with impaired mental conditions, individuals unable to speak the Lao language and individuals being sentenced to death, the accused's guardians must take part in the procedures (art. 25, Law on Penal Procedures). Children under age, the disabled and mentally ill persons who cannot exercise their rights will be represented by their guardians, teachers, parents, tutors or other representatives (art. 34, Law on Penal Procedures).

163. Arrests, under whatever circumstances, will be announced to the families, offices or agencies of the arrested individuals, within 48 hours and the place of incarceration will be announced if it does not represent an obstacle to the procedures (art 47, Law on Court Procedures). Preventative arrests must be supported by orders from the prosecutor or the court. Preventative arrests may not exceed three months from the day the mandate is issued. If it is seen as necessary, the prosecutor may extend the preventative arrest for another period of three months, but in any case shall not exceed a total of one year. If such period is exceeded and insufficient evidence cannot be collected for court procedures, the prosecutor shall immediately issue an order for the accused's liberation (art. 50, Law on Court Procedures).

164. The court shall consider penal cases only when presented with the case by the prosecution. The cases shall be considered and decided within one month from the day the court receives the case files from the prosecutor (art. 61, Law on Penal Procedures).

165. It is forbidden to cause physical harm or torture to incarcerated individuals (art. 47 Law on Penal Procedures).

166. Juvenile punishment: death penalty and life imprisonment. As mentioned above, punishment of young individuals under the penal age or children over 15 but under 18 years of age committing penal offences may consist of special measures as decided by the court. The Lao Penal Code forbids punishment by life imprisonment or death penalty for offenders under 18 years of age and women who are pregnant when committing the offence (art. 29, Penal Code).

167. Physical and moral rehabilitation and social reintegration of children. The Lao Penal Code includes the conditional release of children who have committed offences and are sentenced by the court to imprisonment when requested by re-education centres or when it is seen that such children have a positive attitude, and have already served half of their sentence. The local people's court where the sentence is being serviced will consider the conditional prior liberation and outline the conditions to be implemented by the liberated prisoners. If, within five years, the liberated offender fulfils all conditions and does not fall into recidivism, the remaining sentence to be served will be lifted (art. 47, Penal Code). In case of juvenile offenders liberated after serving their full sentences, they will be returned to their parents, guardians, the administrative authorities or organizations for further education. All these measures aim to encourage repentance for their acts and give them opportunities to make a contribution to society. Nevertheless, in certain cases such efforts in curtailing penal offences have not received the expected results, such as in prostitution and hooliganism. One probable reason could be the poor re-education within the

incarceration centres, society's low general knowledge about and poor attention to its youth, a lack of opportunity for children in employment, a lack of self-reliance and others.

Exploited children

168. Child economic and labour exploitation. Article 37 of the Lao Labour Law provides for the employment of children under 18 years of age. Employers may engage children under 18 but no less than 15 years of age, but the work hours shall not exceed 6 hours per day or 36 hours per week. It is forbidden to use child labour in sectors involving heavy work or health hazards such as mining, chemical and animal hide manufacturing, urban sanitation or funeral cremation, any work involving nuclear radiation, any work involving hazardous fumes or gases, any work involving handling dangerous materials, such as explosives, any work in boreholes, tunnels or under water, work with permanently vibrating machines. In March 1993, the Minister of Labour and Social Welfare issued a notice to the boards of directors and managers of companies and factories for the strict implementation of the Labour Law in the management and use of labour in all economic sectors.

169. Drug addiction. In the Lao PDR, narcotics have not yet caused any significant impact on young people. However, it has been noticed in Vientiane municipality that some small groups of young people enticed each other to smoke marijuana and glue. Heroin and heroin addiction are rare and could even be considered as non-existent. Pending problems are opium growing and use in mountainous and isolated areas for income generation and use as medicines to compensate for a health network that has not yet reached those areas. In order to bring solutions to these problems some projects have been implemented for integrated rural development with the cooperation of UNDP, such as the pilot integrated rural development project at Palavek, Hom district, Vientiane province which was established in 1989. Trade and production of drugs have occurred in the past in the north of the country, but have been curtailed by inducing court procedures against the operators and efforts to destroy the opium.

170. The Government has established a rehabilitation centre for drug addicts which is restricted by the lack of medical staff and equipment.

171. Article 50 of the Penal Code provides detailed measures to be used by the court against alcoholics and drug addicts. Alcohol and drug addicts committing offences who are not imprisoned may be sentenced by the court for rehabilitation in hospitals or specific treatment centres. In case of imprisonment, the court shall ensure measures for their treatment during their imprisonment, but if their treatment is not completed, the court may decide to continue their treatment in specific treatment centres or send them to the administrative authorities, social organizations or public organizations for continued re-education and treatment.

172. The Penal Code forbids the trade or possession of drugs. Individuals trading, producing, selling or transporting heroin or other narcotics will be imprisoned from one to five years. Offenders living from the sale of narcotics or who are organized in groups and operating with a substantial amount of narcotics, will be imprisoned from 2 to 10 years. Individuals possessing substantial amounts of narcotics will be imprisoned from six months to three years (art. 135, Penal Code).

173. Sexual exploitation. The sex trade and prostitution are strictly forbidden in the Lao PDR. Any individual seeking income from the sex trade in whatever form will be punished by imprisonment from six months to three years. Offenders who live from the sex trade or prostitute young girls under age, or force young girls under their dependence to prostitute themselves, will be punished by imprisonment from three to five years (art. 123, Penal Code). Individuals living from sex procurement for others will be punished by imprisonment from three months to seven years or re-educated without being incarcerated. Any individual assisting or providing facilities for prostitution will be punished by imprisonment from three months to one year or re-educated without incarceration (art. 122, Penal Code).

174. Despite the strict measures provided by the law as mentioned above, in reality, prostitution occurs mainly in urban areas, such as in Vientiane municipality. Most of the young female prostitutes work as hostesses in bars and some have been sent for re-education several times. The causes of prostitution are a lack of employment and a poor level of education, knowledge and skills.

175. In addition, the Penal Code also provides for punishment by imprisonment from 5 to 10 years for the rape of girls between 15 to 18 years old (art. 119/2, Penal Code).

176. Other forms of exploitation. Other forms of child exploitation come from child abuse on the part of parents using their parental authority to force their children under age into hard labour for their income, the use of students and pupils in excessive labour, and others.

177. Child trade and abduction. In the Lao PDR, child trade and abduction is not a significant problem. Nevertheless, in article 92 the law provides that any individual undertaking the trade and abduction of children for ransom, sale and/or otherwise will be punished by imprisonment from 5 to 15 years. Such provisions in the Penal Code include preventive features.

Ethnic children

178. The Constitution of the Lao PDR states in article 22 that "Lao citizens are all equal before the law". The Government pays special attention to the ethnic minorities. The State implements a policy of solidarity and equality between its ethnic groups. All ethnic minorities have the right to preserve and develop their ethical and national traditions, customs and culture. Discrimination between ethnic minorities is forbidden. The State will apply all measures for the increasing development and upgrading of the socio-economic conditions of its ethnic groups (art. 8, Constitution of the Lao PDR).

179. The Family Law provides that: "Family relationships occur without dependence on the origins, economic and social status, race, ethnicity, culture, profession, religion, settlement and others" (art. 2, Family Law). In addition the Lao Penal Code also provides punishment by imprisonment from one to five years for individuals causing segregation or resentment between ethnic groups and social classes in order to undermine the national solidarity (art. 60, Penal Code).

180. Based on the above-mentioned provisions, it can be seen that Lao children from all ethnic groups are equal before the law and are protected by the State.

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